UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,062	01/29/2001	Adrian P. Wise	94100414(EP)USC1X1C1D3 PD	8453

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DISCOVISION ASSOCIATES
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EXAMINER
NGUYEN, DUSTIN

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 12/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No	Applicant(s)
Office Action Summary	09/771,062	WISE ET AL.
	Examiner	Art Unit
	Dustin Nguyen	2154

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>24 September 2003</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-7</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-7</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6) ☐ Other: .

DETAILED ACTION

1. Claims 1 – 7 are presented for examination.

Oath/Declaration

2. The oath or declaration is defective. A new oath or declaration in compliance with 37

CFR 1.67(a) identifying this application by application number and filing date is required. See

MPEP §§ 602.01 and 602.02.

> The oath or declaration is defective because:
> It is claiming the domestic priority of application 08/382952 filed on 02/01/1995, which

is not the same application as mentioned in the disclosure as 08/382958 [Amendment filed on

01/29/2001].

Specification

3. Examiner requests Applicants to point out where in the specification that provides detail

support for the claim invention since the specification content is largely described.

Response to Arguments

4. As per remarks, Applicants provides detailed support for claims 1-10 and 1-11 on last

paragraph of page 6 and first two paragraphs of page 7, the detailed support of these sections is

not for the current application, number 09/771,062, which cover claims 1-7.

5.   As per remarks, Applicants argued that (1) Horvath et al. does not disclose receiving "data words".

6.   As to point (1), the claimed limitation is rejected as mentioned below. Furthermore, Horvath discloses receiving "data words" [i.e. control word] [col 9, lines 57-62].

7.   As per remarks, Applicants argued that (2) Horvath et al. does not disclose a method of receiving data word having "different respective formats".

8.   As to point (2), Horvath discloses sequential pipelined processing image compression and decompression techniques [i.e. MPEG, JPEG] [col 1, lines 33-41; and col 10, lines 17-37].

9.   As per remarks, Applicants argued that (3) Horvath et al. does not disclose splitting the data words of the received sequence to form new data words f a new sequence.

10.   As to point (3), Horvath discloses partitioned an image data stream into blocks of image data, with each having processing control information [col 7, lines 63-66].

11.   As per remarks, Applicants argued that (4) Horvath et al. does not disclose packing the consecutive new data words consecutively in a token buffer of a second width without holes between the packed new data words.

12.   As to point (4), Horvath discloses DCT device produces a scrambled (but consistent)

ordering of the output data [col 8, lines 6-8].

13.   As per remarks, Applicants argued that (5) Horvath et al. does not disclose unpacking

data words to reproduce the new sequence of data words.

14.   As to point (5), the claimed limitation is rejected as mention below. Furthermore,

Horvath discloses unpacking data words to reproduce the new sequence of data words [i.e.

decode processing] [col 4, lines 61-col 5, lines 7].

15.   As per remarks, Applicants argued that (6) Horvath et al. does not disclose a "token" of

the present invention is defined in the specification as "interactive interfacing messenger package

for control and for data functions".

16.   As to point (6), Horvath discloses interactive interfacing messenger package for control

and for data functions [i.e. Header] [col 7, lines 65-col 8, lines 2].

17.   As per remarks, Applicants argued that (7) Horvath et al. does not disclose expanding out

run length code in the unpacked words.

18.   As to point (7), the claimed limitation is rejected as mention below. Furthermore,

Horvath discloses expanding out run length code [i.e. DCT] [col 3, lines 63-col 4, lines 12].

19.   As per remarks, Applicants argued that (8) Morrison does not disclose data expander

expands out run length codes into runs of zero followed by a level in the packed data.

20.   As to point (8), the claimed limitation is rejected as mentioned below. Furthermore,

Morrison discloses data expander expands out run length codes into runs of zero followed by a

level in the packed data [i.e. different VLC sets are used for different parameters] [col 8, lines

19-29].

Response to Amendment

Claim Rejections - 35 USC § 102

21.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

22.   Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Horvath et al. [

US Patent No 5450599].

23.   As per claim 1, Horvath discloses the invention as claimed including a method of storing

data, comprising:

receiving a sequence of data words of a first predetermined width [col 1, lines 15-25 and

lines 37-41; and col 9, lines 32-34] and different respective format [col 1, lines 33-37; and col

10, lines 20-37];

splitting the data words of the received sequence to form new data words of a new

sequence, the new data words having a second predetermined width [col 6, lines 63-col 7, lines

3; and col 7, lines 62-col 8, lines 2];

packing the new data words consecutively in a token buffer of a second width without

holes between the new data words [col 8, lines 3-24]; and

unpacking the new data words to reproduce a new sequence of the new data words [

claim 14].

24.   As per claim 2, Horvath discloses writing a block of data from the token buffer to a

random access memory device configured to store the words of the second width [col 8, lines

11-14; and col 13, lines 17-18].

25.   As per claim 3, Horvath discloses expanding out run length code in the new words [col

6, lines 6-9; and col 7, lines 3-6].

26.   As per claim 4, Horvath discloses the invention as claimed substantially including an

inverse modeler, comprising:

a data unpacker to unpack data words received from an input terminal to a different

length format [col 6, lines 63-col 7, lines 3; and col 7, lines 62-col 8, lines 2];

a data expander coupled to the data unpacker [col 8, lines 3-24].

a data padder to pad data tokens received from the data expander [col 4, lines 10-12].

Claim Rejections - 35 USC § 103

27.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

28.   Claims 5 – 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horvath et

al. [US Patent No 5,450,599], in view of Morrison et al. [US Patent No 4,985,766].

29.   As per claim 5, Horvath does not specifically disclose the data expander expands out run

length codes into runs of zero followed by a level in packed data. Morrison discloses the data

expander expands out run length codes into runs of zero followed by a level in packed data [col

7, lines 40-54]. It would have been obvious to a person skill in the art at the time the invention

was made to combine the teaching of Horvath and Morrison because Morrison's teaching would

the fullness of the output buffer may be used to determine the quantisation factor [Morrison, col

1, lines 33-44].

30.   As per claim 6, Morrison discloses the padder pads the last word of expanded tokens [col

2, lines 32-35; and col 4, lines 13-15].

31.   As per claim 7, Morrison discloses the data unpacker deletes data between a flush signal

and a block end signal [col 5, lines 1-47].

32.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Dustin Nguyen whose telephone number is (703) 305-5321. The

examiner can normally be reached on Monday – Friday (8:00 – 5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Meng-Ai An can be reached on (703) 308-9678.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directly to the receptionist whose telephone number is (703) 305-3900.

Dustin Nguyen

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